

Carlos Hernández
Mayor

Vivian Casáls-Muñoz
Council President

Jose F. Caragol
Council Vice President



Council Members
Katharine Cue-Fuente
Isis Garcia-Martinez
Paul B. Hernández
Lourdes Lozano
Carl Zogby

City Council Summary Agenda/Minutes June 26, 2018 7:00 P.M.

Call to Order

REPORT: Council President Casáls-Muñoz called the meeting to order at 7:15 p.m.

Roll Call

REPORT: The following Council Members were present:

- Council President Vivian Casáls-Muñoz
- Council Vice-President Jose Caragol
- Councilwoman Isis Garcia-Martinez
- Councilwoman Lourdes Lozano
- Councilman Carl Zogby
- Councilwoman Katharine Cue-Fuente
- Councilman Paul Hernandez

REPORT: Also present were:

- Mayor Carlos Hernandez
- Lorena Bravo, City Attorney

Invocation given by Lisette Perez, Office Coordinator of the Office of the City Clerk

REPORT: The invocation was led by Lisette Perez, Office Coordinator, Office of the City Clerk.

Pledge of Allegiance to be led by Councilwoman Isis Garcia-Martinez

REPORT: The Pledge of Allegiance was led by Councilmember Isis Garcia-Martinez.

MEETING GUIDELINES

The following guidelines have been established by the City Council:

- **ALL LOBBYISTS MUST REGISTER WITH THE CITY CLERK**
- As a courtesy to others, please refrain from using cellular telephones or other similar electronic devices in the Council Chamber.
- A maximum of three (3) speakers in favor and three (3) speakers in opposition will be allowed to address the Council on any one item. Each speaker's comments will be limited to three (3) minutes.
- No signs or placards, in support of or in opposition to an item or speaker, shall be permitted within the Council Chamber.
- Members of the public may address the City Council on any item pertaining to City business during the Comments and Questions portion of the meeting. A member of the public is limited to one appearance before the City Council and the speaker's comments will be limited to three (3) minutes.

REPORT: The meeting guidelines were read into the record by Lisette Perez, Office Coordinator, Office of the City Clerk, in English, and by Brigitte Leal, Administrative Aide, Office of the City Clerk, in Spanish.

REPORT: Council President Casáls-Muñoz recognized Miami-Dade County Commissioner, The Honorable Jose "Pepe" Diaz, District 12.

REPORT: The Honorable Jose "Pepe" Diaz, Miami-Dade Commissioner, thanked the Mayor Hernandez, Councilmembers and the City of Hialeah.

- **PRESENTATIONS**

- Presentation by Mayor Hernandez to Ben A. Rodriguez of a proclamation for all his years of service to Hialeah Hospital and the community. **PRESENTED.**

REPORT: Council President Casáls-Muñoz thanked Ben Rodriguez and his team at Hialeah Hospital for all their hard work.

REPORT: Mayor Hernandez thanked Ben Rodriguez for all his years of service at Hialeah Hospital.

1. ANNOUNCEMENT OF AMENDMENTS/CORRECTIONS TO THE AGENDA

- A correction to the account number on Item L has been made and a copy has been placed on the dais for the City Council's review.
 - Items R, S, T, 4A and 4B have been added to today's agenda and placed on the dais for the City Council's review.
 - The Professional Service Agreement and Exhibit B of item 3A have been replaced and a copy has been placed on the dais for the City Council's review.
 - The Master Service Agreement of Item 3B has been replaced and a copy has been placed on the dais for the City Council's review.
 - The Master Equipment Lease /Purchase Agreement of Item 3C have been replaced and a copy has been placed on the dais for the City Council's review.
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2. CONSENT AGENDA

All items listed with letter designations are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember, the Mayor or a resident so requests, in which case the item will be removed from the consent agenda and considered along with the regular order of business.

REPORT: Mayor Hernandez asked for a separate discussion on Items Q and T.

REPORT: Councilmember Hernandez asked for a separate discussion on Items R and S.

REPORT: Motion to Approve the Consent Agenda, made by Council Vice-President Caragol, and seconded by Councilwoman Cue-Fuente. Motion passed 7-0, except items Q, R, S and T.

- A. Request permission to approve the minutes of the City of Hialeah Council Meeting held on June 12, 2018. (OFFICE OF THE CITY CLERK) **APPROVED 7-0**
- B. Request permission to waive competitive bidding, since it is advantageous to the City, in that this vendor is the sole source vendor, and issue a purchase order to Fredy Martinez Hernandez, for the purchase of ten (10) steel wire casts encased in fiberglass in the shape of a Flamingo, in a total cumulative amount not to exceed \$30,000. (DEPT. OF GRANTS AND HUMAN SERVICES) **APPROVED 7-0**

- C. Request permission to increase purchase order #2017-1213, issued to Los Leyva Construction Inc., for additional work the contractor had to execute due to engineering drawings having finish floor elevations discrepancies throughout the approved plans, for the Cimitier residence by an additional amount of \$42,163.92, for a new total cumulative amount not to exceed \$192,163.92. In the City Council meeting of February 14, 2017, the project was awarded to Los Leyva Construction for the construction of the Luz Cimitier Residence SHIP Reconstruction Program- Contractor Bid # 33. (DEPT. OF GRANTS AND HUMAN SERVICES) **APPROVED 7-0**
- D. Request permission to utilize National Joint Power Alliance (NJPA), Contract No. 030117-LTS effective through April 14, 2021, and issue a purchase order to Miracle Recreation Equipment Company, for the purchase and installation of a new shade system for Slade Park Outdoor Gym, for a total cumulative amount not to exceed \$42, 296.02. (DEPT OF PARKS AND RECREATION) **APPROVED 7-0**
- E. Request permission to waive competitive bidding, since it is advantageous to the City, in that this vendor is the sole source vendor of this equipment, and issue a purchase order to Brunswick Corporation doing business as Life Fitness, for the purchase of ten (10) pieces of selectorized gym equipment for an outdoor gym for the community at Slade Park and surrounding areas, for a total cumulative amount not to exceed \$30,209.62. (DEPT OF PARKS AND RECREATION) **APPROVED 7-0**
- F. Request permission to enter into a two (2) year rental agreement with Asa College, Inc., commencing on June 26, 2018 through June 25, 2020. The City of Hialeah agrees to provide Ted Hendricks Stadium at Milander Park, Bucky Dent Park Gymnasium, Goodlet Tennis Center and Adult Baseball field at Graham Park for college practices and games. Asa College agrees to pay all staffing costs associated with the usage of these sites. All facility rental fees for use of the park facilities will be waived in lieu of Asa College making monetary contributions in the amount of \$25,000 on execution of agreement, contribution of \$25,000 on or before September 28, 2018, contribution of \$25,000 on or before December 18, 2018 and a final payment of \$25,000 on or before March 22, 2019, in a total cumulative amount not to exceed \$ 100,000. (DEPT OF PARKS AND RECREATION) **APPROVED 7-0**
- G. Request permission to utilize National Joint Power Alliance (NJPA), Contract No. 030117-LTS effective through April 14, 2021, and issue a purchase order to Miracle Recreation Equipment Company, for the purchase of a new playground and installation of a new shade structure for Veterans Park, in the amount of \$115,090.66. Further request permission to purchase four (4) benches through a directly owned subsidiary of Miracle Recreation Equipment Company, Wabash Valley LLC., in the amount of \$3,119.44, for a total cumulative amount not to exceed \$118, 210.10. (DEPT OF PARKS AND RECREATION) **APPROVED 7-0**
- H. Request permission to waive competitive bidding, since it is advantageous to the City, in that this vendor is the sole source vendor and issue a purchase order to Axiom Enterprise Inc., for the purchase of 575 Taser Cartridges, for a total cumulative amount not to exceed \$16,450. (POLICE DEPT.) **APPROVED 7-0**
- I. Proposed resolution approving the expenditure totaling an amount not to exceed \$35,150.00 from the law enforcement trust fund federal, to purchase forty (40) brother Ruggedjet DT Mobile Printers with power adapters and applicable warranties,

utilizing Public National IPA Technology Solutions Contract No. 2018011-01 with CDW Government, LLC, an authorized distributor, and waiving competitive bidding as it is advantageous to the City, upon such costs having been approved by the Chief of Police. (POLICE DEPT.) **APPROVED 7-0**

RESOLUTION NO.2018-054

- J. Proposed resolution authorizing the expenditure of an amount not to exceed sixty thousand dollars (\$60,000.00) from the Law Enforcement Trust fund-State, for costs associated with protracted and complex investigations, to satisfy vehicle liens, for confidential Police informant fees, and to acquire investigative equipment or expertise, upon such costs having been approved by the Chief of Police. (POLICE DEPT.) **APPROVED 7-0**

RESOLUTION NO. 2018-055

- K. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Horizon Contractors, Inc., vendor providing the lowest quotation, for the concrete work-remove and replace damaged sidewalks & curbs throughout the City, in a total cumulative amount not to exceed \$138,150. (STREETS DEPT.) **APPROVED 7-0**
- L. Proposed resolution accepting a grant award from Miami-Dade County through its Parks, Recreation and Open Spaces Department, under the Street Tree Matching Grant Program, in the amount of \$8,500.00 for the procurement, planting and maintenance of street trees along designated county and local roads; and further authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City, to enter into a tree planting agreement with Miami-Dade County commencing upon execution of the agreement and ending on July 27, 2018, whereby the City has to provide matching funds in an amount not to exceed \$11,730, in substantial conformity with the agreement attached hereto and made a part hereof as Exhibit "1"; and providing for an effective date. (STREETS DEPT) **APPROVED 7-0**

RESOLUTION NO. 2018-056

- M. Request permission to enter into a three (3) year agreement with HG Sports, Inc., commencing on June 25, 2018 through June 24, 2021. HG Sports is partnering with the City of Hialeah to develop a youth baseball travel program at Babcock Park. The City of Hialeah will grant HG Sports a nonexclusive license to use the baseball fields and the concession stand located at Babcock Park for program purposes, HG Sports shall pay the City forty percent (40%) of total amount of base registration fees paid by participants and/or teams to the provider. HG Sports agrees to pay all staffing cost associated with the usage of facilities. (DEPT OF PARKS AND RECREATION) **APPROVED 7-0**
- N. Request permission to waive competitive bidding since it is advantageous to the City, in that this vendor is the sole source vendor, and increase purchase order #2018-628 issued to Xylem Inc., for the repair, parts and/or replacement of FLYGT submersible pumps and attributes for the purpose of maintaining and operating department sewer

pump stations, in an additional amount of \$250,000 for a new total cumulative amount not to exceed \$650,000. (DEPT OF PUBLIC WORKS) **APPROVED 7-0**

- O. Proposed resolution accepting a grant award, from the State of Florida Department of Elder Affairs, through alliance for Aging, Inc. in the amount of \$1,650,000 to provide congregate meals at six (6) sites throughout the city for one (1) year commencing July 1, 2018 and ending on June 30, 2019; approving and ratifying a local services program agreement between Alliance for Aging, Inc. and the City of Hialeah, Florida, executed by the Mayor on behalf of the City, a copy of which is attached hereto and made a part of hereof as exhibit "1"; and further authorizing the Mayor or his designee on behalf of the City to execute all other necessary documents in furtherance thereof. (DEPT. OF GRANTS AND HUMAN SERVICES) **APPROVED 7-0**

RESOLUTION NO. 2018-057

- P. Request permission to increase purchase order #2018-182 issued to Mansfield Oil Company Of Gainesville, Inc., for the purchase of gas and diesel for the City of Hialeah vehicles and equipment, in an additional amount of \$300,000 for a new total cumulative amount not to exceed \$930,000. Competitive bidding is being waived on the use of Governmental contract with Miami-Dade County, *Bid #3143-9/18-8- Gasoline and Diesel Fuel Pre-Qualified* effective through October 31, 2018. (FLEET MAINTENANCE) **APPROVED 7-0**

- Q. Proposed resolution accepting a \$2,100,000.00 grant from the State of Florida Department of Economic Opportunity (DEO) for facility improvements to four (4) City-owned elderly housing buildings containing three-hundred (300) Units of elderly-occupied affordable housing; approving the terms of the grant agreement with the State of Florida as set forth in Exhibit 1; authorizing the Mayor and the City Clerk, as attesting witness, to execute and deliver the agreement and all other necessary and customary documents in furtherance thereof on behalf of the City; and providing for an effective date. (DEPT. OF GRANTS AND HUMAN SERVICES) **APPROVED 7-0**

RESOLUTION NO. 2018-058

REPORT: Mayor Hernandez spoke on the improvements of the buildings and thanked everyone for their hard work.

REPORT: Motion to Approve Item Q made by Councilwoman Isis Garcia-Martinez, and seconded by Councilman Paul Hernandez. Motion passed 7-0.

- R. Proposed resolution approving a Community Enhancement Area Benefit Program for the purpose of beautification, enhancement and improvement of public facility locations, and cultural enrichment of the City of Hialeah Community; further authorizing the Mayor to establish an Arts Committee consisting of three members, to select the artist who are going to participate in the community enhancement area benefit program; and providing for an effective date. (DEPT. OF GRANTS AND HUMAN SERVICES) **APPROVED 7-0**

RESOLUTION NO. 2018-059

REPORT: Annette Quintana, Director of Grants & Human Services, clarified the item.

Report: Vicente Rodriguez, Director of Construction & Maintenance, advised the City Council of the different locations throughout the City the Flamingos will be placed.

REPORT: Motion to Approve Item R made by Councilman Isis Hernandez, and seconded by Council Vice-President Caragol. Motion passed 7-0.

- S. Request permission to waive competitive bidding, since it is advantageous to the City, in that this vendor is the sole source vendor, and issue a purchase order to Magnet Forensics USA, Inc., for the purchase of a four (4) day course and reinstatement fee designed for Detectives seeking to use Magnet Axiom for their investigations. The Detectives will learn skills needed to acquire smartphone, computer, removable media and other images, analyze artifacts, file system and register data using multiple views and verification features, in the amount of \$4,625. Further request permission to purchase the Magnet upgrade, SMS Magnet Axiom, and SMS Magnet IEF Triage Module, in the amount of \$14,959.00, for a total cumulative amount not to exceed \$19,221. (POLICE DEPT)
APPROVED 7-0

REPORT: Sergio Velasquez, Chief of Police, City of Hialeah, clarified the item.

REPORT: Councilman Hernandez advised the Mayor and the City Council of a new medical app featured in smartphones that can help first responders in emergency situations.

REPORT: Patrick Flynn, Chief of Fire, City of Hialeah, spoke on the new technology referring to 911 calls.

REPORT: Motion to Approve Item S made by Councilwoman Isis Garcia-Martinez, and seconded by Council Vice-President Caragol. Motion passed 7-0.

- T. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to C.D.M. Windows & Doors, Inc., vendor providing the lowest quotation for the 300 Unit Elderly Housing Project -Impact Windows and Glass doors, in a total amount of \$1,468,449.90 and further request to include a five (5) percent contingency allowance in the amount of \$73,422.50, for a total cumulative amount not to exceed \$1,541,872.40. (CONSTRUCTION & MAINTENANCE DEPT)
APPROVED 7-0

REPORT: Motion to Approve Item T made by Council Vice-President Caragol, and seconded by Councilwoman Garcia-Martinez. Motion passed 7-0.

3. ADMINISTRATIVE ITEMS

- 3A. Proposed resolution waiving competitive bidding and approving a Professional Services Agreement between Harris Corporation and the City of Hialeah, with incorporated software and end user license agreements, to provide the City with a 800 MHZ Digital Trunked Simulcast Network System, for a term of three years, with an option to renew for an additional two years, in a total amount not to exceed \$3,141,149.00, in substantial

conformity with the agreements attached hereto as Exhibit “1”; authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City to execute the professional services agreement , including the software and end user license agreements; and providing for an effective date. (FIRE DEPT.) **APPROVED 7-0**

RESOLUTION NO. 2018-060

REPORT: Patrick Flynn, Chief of Fire, City of Hialeah, clarified the item.

REPORT: Mayor Hernandez, spoke on the new network communications system for the City.

REPORT: Council President Casáls-Muñoz, expressed concerns with the Hialeah Annexation area.

REPORT: Councilman Hernandez, expressed concerns with Hurricane Season and the importance of the City of Hialeah’s communication system.

REPORT: Motion to Approve Item 3A made by Council Vice-President Caragol, and seconded by Councilman Zogby. Motion passed 7-0.

- 3B.** Proposed resolution waiving competitive bidding and approving a Master Services Agreement between Harris Corporation and the City of Hialeah, to provide maintenance and technical support to the emergency services radio communications system designed and installed pursuant to The Professional Services Agreement with Harris Corporation approved concurrently with this resolution; for a term of three years beginning upon the expiration of the warranty period upon final system acceptance, in a total amount not to exceed \$1,159,828.00, in substantial conformity with the agreement attached hereto and made a part hereof as Exhibit “1”; authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City to execute the Master Services Agreement; and providing for an effective date. (FIRE DEPT.) **APPROVED 7-0**

RESOLUTION NO. 2018-061

REPORT: Motion to Approve Item 3B made by Council Vice-President Caragol, and seconded by Councilwoman Cue-Fuente. Motion passed 7-0.

- 3C.** Second reading and public hearing of proposed ordinance approving a master equipment lease/purchase agreement with Banc of America Public Capital Corp, as lessor, and the City, as lessee, and separate schedules thereto, for the acquisition, purchase, financing and leasing of certain equipment as described herein; authorizing certain other documents required in connection therewith; authorizing all other actions necessary to the consummation of the transactions contemplated by this ordinance; authorizing the Mayor and City Clerk, as attesting witness, to execute the master equipment lease/purchase agreement and all necessary documents on behalf of the City; repealing all ordinances or parts of ordinances in conflict herewith; providing for penalties for violation hereof; providing for a severability clause; and providing for an effective date.

(ADMINISTRATION) **APPROVED 7-0**

ORDINANCE NO. 2018-052

Item was approved by the City Council on first reading on June 12, 2018.

REPORT: Motion to Approve Item 3C made by Council Vice-President Caragol, and seconded by Councilwoman Cue-Fuente. Motion passed 7-0.

4. BOARD APPOINTMENTS

- 4A.** Proposed resolution appointing **Luis M. Rodriguez** as a member of the Planning and Zoning Board for a two year term ending on June 28, 2020.
(COUNCILWOMAN CASÁLS-MUÑOZ) **APPROVED 7-0**

RESOLUTION NO. 2018-062

REPORT: Motion to Approve Item 4A made by Council Vice-President Caragol, and seconded by Councilwoman Cue-Fuente. Motion passed 7-0.

- 4B.** Appointment by Council President Casáls-Muñoz of **Rafael Hernandez** to the Cultural Affairs Council for a two year term ending on November 12, 2019.
(COUNCILWOMAN CASÁLS-MUÑOZ) **AS NOTED**

5. UNFINISHED BUSINESS

NONE

6. NEW BUSINESS

REPORT: Councilman Hernandez discussed requirements of Assisted Living Facilities (ALF's) and reminded the Council of an idea of conducting a public meeting to be held with all Assisted Living Facilities owners within the City of Hialeah.

REPORT: Councilman Hernandez discussed a State Lawsuit involving the State Attorney General on pre-existing conditions and urged the City Council to draft a resolution withdrawing the State of Florida from the lawsuit.

7. COMMENTS AND QUESTIONS

- Rev Sierra, 722 Palm Avenue, Hialeah, FL., addressed the City Council with concerns on code violations.
- Councilwoman Garcia-Martinez expressed her concerns with code violations throughout the City.
- Mayor Hernandez commented on code violations throughout the City and the rules stated in the City of Hialeah Charter.
- Mayor Hernandez reminded all of the July 4th festivities taking place in the City.

ZONING

Administration of Oath to all applicants and anyone who will be speaking before the City Council on any Zoning, Land Use or Final Decision Item

Attention Applicants:

- Items approved by the City Council are subject to the Mayor's approval or veto. The Mayor may withhold his signature or veto the item. If the Mayor's signature is withheld, the item is not effective until the next regularly scheduled meeting. If the Mayor vetoes the item, the item is rejected unless the Council overrides the veto at the next regular meeting.

REPORT: All were duly sworn in.

PZ 1. Second reading and public hearing of proposed ordinance rezoning from R-1 (One-Family Residential District) to R-3-5 (Multiple Family District); and granting a variance permit to allow an interior south side setback of 7.4 feet, where 10 feet are required; allow a street side setback of 12.4 feet, where 15 feet are required; allow a pervious area of 22.5%, where 30% is required; allow 37 parking spaces, where 39 parking spaces are required; and allow 32.14% lot coverage, where 30% is required; all contra to §§ 98-590, 98-2056(b)(1) and (b)(2), 98-2189(19)b. **Property located at 4597 And 4599 Palm Avenue, Hialeah, Florida;** repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. **APPROVED 7-0**

ORDINANCE NO. 2018-053

<i>Item was approved by the Planning and Zoning Board on May 23, 2018.</i>

<i>Planner's Recommendation: Approval with Conditions.</i>
<i>Registered Lobbyist: Manny Reus, Architect, 18501 Pines Blvd, #342, Pembroke Pines, FL 33029.</i>
<i>Owner of the Property: Roberto C. Gonzalez, Revocable Trust, 14500 Lake Crescent Place, Miami Lakes, Florida. 33014.</i>
<i>Item was approved by the City Council on first reading June 12, 2018.</i>

REPORT: Motion to Recall Item PZ1 made by Councilwoman Garcia-Martinez, and seconded by Councilwoman Cue-Fuente. Motion passed 7-0.

REPORT: Motion to Approve Item PZ1 made by Councilwoman Garcia-Martinez, and seconded by Council Vice-President Caragol. Motion passed 7-0.

PZ 2. Second reading and public hearing of proposed ordinance rezoning from R-1 (One Family Residential District) to R-3-5 (Multiple Family District); and granting a special use permit (SUP) pursuant to Hialeah Code Of Ordinances § 98-1630.8 to allow the expansion of the neighborhood business overlay district for the construction of a new 35-unit multifamily residential building; and granting a variance permit to allow only residential uses, where a vertical mix of uses is required; allow all residential units to have an area less than 850 square feet, where only 10% of the units may have a floor area of less than 850 square feet; allow front setback of 5 feet, where 10 feet are required; allow east and north side setbacks of 10 feet, where 15 feet are required; allow a pervious area of 16.8%, where 30% is required; and allow 40 parking spaces, where 79 parking spaces are required; all contra to §§ 98-1630.2, 98-1630.3(e)(1) and 98-1630.3(e)(2) 98-2056(b)(1) and 98-2189(19)b. **Property located at 701 East 4th Avenue And 421 East 7th Street, Hialeah, Florida;** repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. **APPROVED 7-0**

ORDINANCE NO. 2018-054

<i>Item was approved by the Planning and Zoning Board on May 23, 2018.</i>
<i>Planner's Recommendation: Approval subject to a submittal of a parking management plan and development schedule as proffered by applicant.</i>
<i>Registered Lobbyist: Alejandro Vilarello, P.A., 16400 NW 59 Avenue, Miami Lakes, Florida.</i>
<i>Owner of the Property: Babcock Apartments, LLC, 16400 NW 59 Avenue, Miami Lakes, Florida. 33134</i>
<i>Item was approved by the City Council on first reading June 12, 2018.</i>

REPORT: Motion to Approve Item PZ2 made by Councilwoman Cue-Fuente, and seconded by Council Vice-President Caragol. Motion passed 7-0.

PZ 3. Second reading and public hearing of proposed ordinance allowing for the replatting of Lots 8 and 10 of Block 3 Robin Heights into two proposed substandard lots: Lot 1 with a frontage of approximately 60 feet, depth of 73.27 feet and an area of 4,396 square feet; and lot 2 with a frontage of 65 feet; a depth of 100 feet; with a standard length and area; where a frontage for each lot is required of 75 feet; and an area of 7,500 square feet is required; all contra to Hialeah Code Of Ordinances § 98-779. Property located at 22 West 42 Street, And 4160 Palm Avenue Hialeah, Florida. Property zoned RO (Residential Office). Repealing all ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. **APPROVED 7-0**

ORDINANCE NO. 2018-055

<i>Item was approved by the Planning and Zoning Board on May 23, 2018.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Registered Lobbyist: Ceasar Mestre Jr. Esq., 7600 West 20 Avenue, #200, Hialeah, Florida. 33016.</i>
<i>Owner of the Property: Roberto Correa, 22 West 24 Street, Hialeah, Florida. 33016.</i>
<i>Item was approved by the City Council on first reading June 12, 2018.</i>

REPORT: Motion to Approve Item PZ3 made by Councilwoman Garcia-Martinez, and seconded by Councilwoman Cue-Fuente. Motion passed 7-0.

PZ 4. Second reading and public hearing of proposed ordinance granting a special use permit (SUP) to allow the expansion of the neighborhood business overlay district pursuant to Hialeah Code of Ordinances § 98-1630.8 to allow the development of a new 212-unit multifamily residential development; and granting a variance permit to allow 330 parking spaces, where 494 parking spaces are required; allow a front setback of 3.4 feet, where 10 feet are required for the balconies encroaching into the front setback of proposed building 11; and allow 26.5% pervious area, where 30% is required; contra to Hialeah code §§ 98-2056(b)(1), 98-2189(16)a., 98-1630.3(e)(1). Property zoned M-1 (Industrial District). **Property located at 7755 West 4th Avenue, Hialeah, Florida.** Repealing all ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. **APPROVED 7-0**

ORDINANCE NO. 2018-056

<i>Item was approved by the Planning and Zoning Board on May 23, 2018.</i>
<i>Planner's Recommendation: Approval subject to a submittal of a parking management plan and development schedule as proffered by applicant.</i>
<i>Registered Lobbyist: Alejandro Vilarello, P.A., 16400 NW 59 Avenue, Miami Lakes, Florida</i>

<i>Owner of the Property: Hialeah 7.65 LLC, 16400 NW 59 Avenue, Miami Lakes, Florida.33014.</i>
<i>Item was approved by the City Council on first reading June 12, 2018.</i>

REPORT: Motion to Approve Item PZ4 made by Council Vice-President Caragol, and seconded by Councilwoman Garcia-Martinez. Motion passed 7-0.

PZ 5. Second reading and public hearing of proposed ordinance granting a special use permit (SUP) to allow the expansion of the neighborhood business district overlay pursuant to Hialeah Code Of Ordinances § 98-1630.8 to allow the development of a new 28-unit multifamily residential building; and granting a variance permit to allow 23 parking spaces, where 67 parking spaces are required; allow an area of 18,649 square feet, where 20,000 square feet is the minimum site area required; and allow all units to have less than 850 square feet, where only 10% of the units may have less than 850 square feet; contra to Hialeah code §§ 98-1630.8, 98-2189(16)a., and 98.1630.2. Property zoned C-2 (Liberal Retail Commercial District). **Property located at 497 And 499 West 23 Street, Hialeah, Florida.** Repealing all ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. **APPROVED 7-0**

ORDINANCE NO. 2018-057

<i>Item was approved by the Planning and Zoning Board on May 23, 2018.</i>
<i>Planner's Recommendation: Approval subject to a submittal of a parking management plan and development schedule as proffered by applicant.</i>
<i>Owner of the Property: Sun Holdings, Inc., 8180 NW 36 Street, #100-J, Doral, Florida 33166.</i>
<i>Item was approved by the City Council on first reading June 12, 2018.</i>

REPORT: Motion to Approve Item PZ5 made by Council Vice-President Caragol, and seconded by Councilwoman Cue-Fuente. Motion passed 7-0.

PZ 6. Second reading and public hearing of proposed ordinance amending Hialeah, Fla Ordinance 2018-008 (January 23, 2018) that granted a variance permit pertaining to pervious area location of a dumpster enclosure, and waived a portion of the City of Hialeah landscape manual requirements updated July 9, 2015 to provide for correction of the omission of the parking setback of 5 feet, where 55 feet is the minimum required; contra to Hialeah Code Of Ordinances §§98-641(g); Property located at 336 East 6th Street, Hialeah, Florida; property zoned R-3-D (Multifamily District). Providing penalties for violation hereof; providing for a severability clause; repealing all ordinances or parts of ordinances in conflict herewith; and providing for an effective date. (Item PZ 7, City Council Meeting of January 23, 2018.) (PLANNING AND ZONING.) **APPROVED 7-0**

ORDINANCE NO. 2018-058

Item was approved by the City Council on first reading June 12, 2018.

REPORT: Motion to Approve Item PZ6 made by Council Vice-President Caragol, and seconded by Councilwoman Cue-Fuente. Motion passed 7-0.

- PZ 7.** Second reading and public hearing of proposed ordinance amending HIA., Fla. Ordinance 2018-046 (May 22, 2018) that granted a variance permit pursuant to Hialeah Code of Ordinance § 98- 2233 partially waiving the minimum landscape requirements to amend the number of viable trees, shrubs and landscaping acceptable to the City to be provided on the adjacent 30 acres of land and dedicated as a public park. **Property located within the Hialeah Heights annexation area bounded on the west by NW 107 Avenue, on the North by NW 170 Street, on the East by NW 97 Avenue, and on the South by NW 154 Street;** repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (Item PZ 2, City Council Meeting of May 22, 2018.) (PLANNING AND ZONING.)
APPROVED 7-0

ORDINANCE NO. 2018-059

Item was approved by the City Council on first reading June 12, 2018.

REPORT: Motion to Approve Item PZ7 made by Council Vice-President Caragol, and seconded by Councilwoman Lozano. Motion passed 7-0.

- PZ 8.** First reading of proposed ordinance rezoning the Southern 75 feet of lots 23 and 24 from C-1 (Restricted Retail Commercial District) to C-3 (Extended Liberal Commercial District); and granting a variance permit to allow a mechanical carwash on lots 23 and 24 contiguous to a residential zoning district, where mechanical carwashes are not allowed contiguous to a residential zoning district; and allow the aperture of the facility adjacent to a residential zoning district, where such aperture is not allowed to face adjacent to a residential zoning district; contra to Hialeah Code Of Ordinances §§ 98-1898(4) and (5); property zoned C-1 (Restricted Retail Commercial District), C-3 (Extended Liberal Commercial District), and C-4 (Commercial District); **Property located at 401 East 24th Street and 400 East 25th Street, Hialeah Florida.** Repealing all ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. **APPROVED 7-0**

Item was approved by the Planning and Zoning Board on June 13, 2018.

Planner's Recommendation: Approval with conditions.

<i>Owner of the Property: Sunshine Gasoline Distributions, Inc., 1650 NW 87 Avenue, Miami, FL 33172</i>
<i>Registered Lobbyist: Kristopher D. Machado, 98 Southeast 7th Street, Suite 1100, Miami, FL 33130; Daniel Alonso, 1235 Coral Way, Suite 101, Miami, FL 33145; Orlando Alonso, 1235 Coral Way, Suite 101, Miami, FL 3314.</i>

REPORT: Kristopher Machado, 98 Southeast 7 Street, Suite 1100, Miami, FL., clarified the item.

REPORT: Danny Alonso, 1235 Coral Way, Suite 101, Miami, FL., addressed the Council on this item.

REPORT: Motion to Approve Item PZ8 made by Councilwoman Garcia-Martinez, and seconded by Councilwoman Cue-Fuente. Motion passed 7-0. Second reading and public hearing is scheduled for August 14, 2018.

- PZ 9.** First reading of proposed ordinance granting a variance permit to allow a mechanical carwash contiguous to a residential zoning district, where mechanical carwashes are not allowed contiguous to a residential zoning district; and allow the north aperture of the facility adjacent to a residential zoning district, where such aperture is not allowed to face adjacent to a Residential Zoning District; contra to Hialeah Code Of Ordinances §§ 98-1898(4) and (5); Property Zoned C-3 (Extended Liberal Commercial District); **Property located at 795 Hialeah Drive, Hialeah Florida.** Repealing all ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. **APPROVED 7-0**

<i>Item was approved by the Planning and Zoning Board on June 13, 2018.</i>
<i>Planner's Recommendation: Approval with conditions.</i>
<i>Owner of the Property: Sunshine Gasoline Distributions, Inc., 1650 NW 87 Avenue, Miami, FL. 33172.</i>
<i>Registered Lobbyist: Kristopher D. Machado, 98 Southeast 7th Street, Suite 1100, Miami, FL 3313; Daniel Alonso, 1235 Coral Way, Suite 101, Miami, FL 33145; Orlando Alonso, 1235 Coral Way, Suite 101, Miami, FL 3314.</i>

REPORT: Motion to Approve Item PZ9 made by Councilwoman Garcia-Martinez, and seconded by Councilwoman Cue-Fuente. Motion passed 7-0. Second reading and public hearing is scheduled for August 14, 2018.

- PZ 10.** First reading of proposed ordinance granting a variance permit to allow construction of a single family residence on a substandard lot having a width of 65 feet, where 75 feet are required; and allow a temporary waiver of plat provided that the property will be platted within 18 months of approval of this ordinance, all contra to Hialeah Code Of Ordinances

§ 98-499; and Hialeah Land Development Code § 10-4(c). Property zoned R-1 (One Family District). **Property located at 715 East 56th Street, Hialeah Florida.** Repealing all ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. **APPROVED 7-0**

<i>Item was approved by the Planning and Zoning Board on June 13, 2018.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Owner of the Property: Excellent New Homes, LLC, (Omar Gonzalez) 8806 NW 139th Terrace, Miami Lakes, FL 33018.</i>

REPORT: Motion to Approve Item PZ10 made by Councilwoman Garcia-Martinez, and seconded by Councilwoman Cue-Fuente. Motion passed 7-0. Second reading and public hearing is scheduled for August 14, 2018.

PZ 11. First reading of proposed ordinance rezoning lots 15 and 16 from C-1 (Restricted Retail Commercial District) to R-2 (One And Two Family Residential District); and granting a variance permit to allow the construction of a duplex on substandard lots 15 and 16 with a frontage of 40 feet, where 75 feet are required; allow a depth of 88 feet, where 100 feet are required; allow 3,520 square feet, where 7,500 square feet are required; allow interior east side setback of 5 feet, where 7.5 feet are required; allow front and rear side setback of 20 feet, where 25 feet are required; allow 10 feet street side setback, where 15 feet are required; allow lot coverage of 32.1% where 30% is the maximum allowed; and granting a variance permit on lots 12 through 14 that is sited with a single family residence with a frontage of 60 feet, where 75 feet are required; allow a depth of 88 feet, where 100 feet are required; allow 5,280 square feet, where 7,500 square feet are required; all contra to Hialeah Code Of Ordinances §§ 98-544, 98-545, 98-98-546, 98-547(a) and 98-2056(b)(2); and Hialeah land development code § 10-4(c). **Property located at 533 and 5xx West 24 Street, Hialeah Florida.** Repealing all ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. **APPROVED 6-1-0 with Council President Casáls-Muñoz voting "No".**

<i>Item was approved by the Planning and Zoning Board on June 13, 2018.</i>
<i>Planner's Recommendation: Approved with conditions.</i>
<i>Owner of the Property: Hector Servello and Gilberto Aguila, 5735 West 12th Lane, Hialeah, Florida 33012.</i>

REPORT: Motion to Approve Item PZ11 made by Councilwoman Cue-Fuente, and seconded by Councilwoman Garcia-Martinez. Motion passed 6-0-1 with Council President Casáls-Muñoz voting "NO". Second reading and public hearing is scheduled for August 14, 2018.

PZ.12 First reading of proposed ordinance vacating a portion of the Right of Way of East 45th Place lying Southerly and adjacent to lots 1, 2 and 3 of Featherstone Sports Addition to

Hialeah, according to the Plat thereof as recorded in Plat Book 18, at page 11, of the public records of Miami-Dade County, Florida, containing an area of approximately 4,243.63 square feet, more or less. **Property located at 4597 and 4599 Palm Avenue, Hialeah, Florida**, and more particularly described in the Surveyor's legal description and location sketch attached hereto and made a part hereof as exhibit "A" and providing for an effective date. **POSTPONED UNTIL AUGUST 14, 2018.**

REPORT: Motion to table Item PZ12 made by Councilwoman Cue-Fuente, and seconded by Councilman Hernandez. Motion passed 7-0. Item is postponed for August 14, 2018.

LAND USE AMENDMENTS

LU 1. First reading of proposed ordinance adopting a text amendment to the future land use element of the Hialeah, Fla., Comprehensive Plan to incorporate residential uses and corresponding policies and objectives in connection with the proposed redevelopment of the mixed use Hialeah Heights land use classification as set forth in exhibit "A", repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. **APPROVED 7-0**

REPORT: Motion to Approve Item LU1 made by Councilwoman Garcia-Martinez, and seconded by Councilwoman Cue-Fuente. Motion passed 7-0. Second reading and public hearing is scheduled for August 14, 2018.

REPORT: Meeting was adjourned by Council President Casáls-Muñoz at 9:16 p.m.

NEXT CITY COUNCIL MEETING: Tuesday, August 14, 2018 at 7:00 p.m.

NEXT CHARTER SCHOOL OVERSIGHT COMMITTEE MEETING: Tuesday, August 28, 2018 at 6:30 p.m.

Anyone wishing to obtain a copy of an agenda item should contact the Office of the City Clerk at (305) 883-5820 or visit at 501 Palm Avenue, 3rd Floor, Hialeah, Florida, between the hours of 8:30 a.m. and 5:00 p.m.

Persons wishing to appeal any decision made by the City Council, with respect to any matter considered at the meeting, will need a record of the proceedings and, for such purposes, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

An ordinance or resolution shall become effective when passed by the City Council and signed by

the Mayor or at the next regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto. If the Mayor's veto is sustained, the affected ordinance or resolution does not become law and is deemed null and void.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in the proceeding should contact the Office of the City Clerk at (305) 883-5820 for assistance no later than seven (7) days prior to the proceeding; if hearing impaired you may telephone the Florida Relay Service at (800) 955-8771 (TDD), (877) 955-8773 (Spanish) or (800) 955-8770 (Voice).